

Serial No. 10/527,915  
Attorney Docket No. 2002P14859WOUS

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REMARKS

Claims 25-37, and 39-46 are presented for examination. Claim 25 has been amended. Claims 38, 47, and 48 have been canceled. Applicants respectfully request reconsideration and allowance of the pending claims in view of the following remarks.

Response to objections to the specification:

Applicants amended the specification to overcome the objections made by the Examiner. Applicants therefore respectfully request withdrawal of the objections to the specification.

Response to objections to claims:

Applicants amended claims 34 and 35 to overcome the objections made by the Examiner. Applicants therefore respectfully request withdrawal of the objections to the claims.

Response to rejections under Sections 112:

Applicants amended the claims and the specification to overcome the rejections made by the Examiner to claim 31, 34, 35 and 39. Applicants therefore respectfully request withdrawal of the rejections to the claims.

Response to rejections under Sections 102:

Claims 25-35, 40, 42, 43, 47, and 48 stand rejected under 35 U.S.C 102(e) as anticipated by Bichenough et al. (USPAN 6,615,091).

Claim 25 recites the limitation:

*wherein the process information data for the device for representing the acquired process information data for a user of the system and for the historian database are simultaneously acquired based upon a single application for the device for representing the acquired process information data and the historian data base, and*

*wherein the device for representing the acquired process information data for a user of the system is a human machine interface. (see e.g. page 4, last 7 lines of the substitute specification).*

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In contrast, Birchenough et al. teaches a distributed data system (DDS) log storage containing a history of all data transactions that occurred within the control system (column 57, lines 53-56). Because of the distribution, the data system log storage (database) is separated from the HMI (column 46, lines 35-44). Therefore Birchenough does not disclose or suggest that the process information data for the HMI and the historian database are simultaneously acquired based upon a single application. Simultaneous acquisition of the data for the HMI and the database is not a matter of mere design choice but rather reduces the data load.

Rejections under 35 U.S.C. §103

Claims 36, and 44-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Birchenough et al. (US 6,385,023). Claims 37, 39, and 41 are rejected under 35 U.S.C. §103(a) as being unpatentable over Birchenough et al (US 6,385,023) in view of Nixon et al. (US 2002/0077711). Claim 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Birchenough et al (US 6,385,023) in view of Nixon et al. (US 2002/0077711) and further in view of Lewis et al. (US 5,812,394).

For the reasons discussed above in connection with the Section 102 rejection the Section 103 rejection also fails.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present specification and claims. Accordingly, Applicants respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to char any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 4/19/07

By: 

John P. Musone  
Registration No. 44,961  
(407) 736-6449

Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, New Jersey 08830